

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

In re: BISPHENOL-A (BPA))	MDL No. 1967
POLYCARBONATE PLASTIC)	Master Case No. 08-1967-MD-W-ODS
PRODUCTS LIABILITY LITIGATION)	

ORDER GRANTING RC2 CORPORATION'S MOTION TO CLARIFY OR AMEND

On November 9, 2009, the Court issued an Order Addressing Defendants' Motions to Dismiss Targeting Specific State Statutes (Doc. # 263). The Court deferred all motions except those filed by Formula Defendants because the Formula Defendants were being dismissed for other reasons. However, one of the motions (Doc. # 159) was filed jointly by Abbott Laboratories (a Formula Defendant) and RC2 Corporation (a Bottle Defendant), and the Court identified their motion as one that was moot. RC2 now seeks clarification or an amendment to establish that its arguments regarding Illinois law remain pending. RC2's motion (Doc. # 272) is granted.

The inclusion of the joint motion as one that was moot was due to oversight. While it is moot insofar as Abbott Laboratories is concerned, it is not moot insofar as RC2 is concerned. The Court will consider the arguments regarding Illinois law when it considers the remaining state-law arguments.

IT IS SO ORDERED.

DATE: January 14, 2010

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT